

STATE OF SOUTH CAROLINA)	IN THE COURT OF COMMON PLEAS
COUNTY OF HAMPTON)	
Richard Lightsey, LeBrian Cleckley,)	
Phillip Cooper, et al., on behalf of)	
themselves and all others similarly)	
situated,)	
Plaintiffs,)	
v.)	CASE NO.: 2017-CP-25-335
South Carolina Electric & Gas)	
Company, a Wholly Owned)	
Subsidiary of SCANA, SCANA)	
Corporation, and the State of)	
South Carolina,)	
Defendants,)	
South Carolina Office of Regulatory)	
Staff,)	
Intervenor.)	

**THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NOS. 2017-207-E, 2017-305-E, AND 2017-370-E**

IN RE:	Friends of the Earth and Sierra Club,)
	Complainant/Petitioner v. South Carolina)
	Electric & Gas Company,)
	Defendant/Respondent)
)
IN RE:	Request of the South Carolina Office of)
	Regulatory Staff for Rate Relief to SCE&G)
	Rates Pursuant to S.C. Code Ann. § 58-27-)
	920)
)
IN RE:	Joint Application and Petition of South)
	Carolina Electric & Gas Company and)
)



Dominion Energy, Incorporated for Review)
 and Approval of a Proposed Business)
 Combination between SCANA Corporation)
 and Dominion Energy, Incorporated, as May)
 Be Required, and for a Prudency)
 Determination Regarding the Abandonment)
 of the V.C. Summer Units 2 & 3 Project)
 and Associated Customer Benefits and Cost)
 Recovery Plans

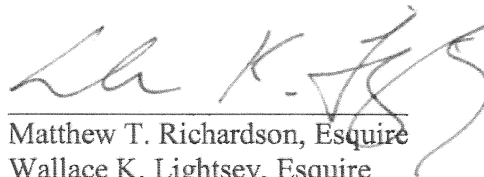
NOTICE OF TAKING 30(b)(6) DEPOSITION

TO: Thomas C. Ryan, Esq., K & L Gates, 210 Sixth Avenue, Pittsburg, PA 15222

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, the Office of Regulatory Staff ("ORS), by and through its counsel of record, will take the deposition of a representative of Westinghouse Electric Corporation, LLC to testify regarding all information known or reasonably available with respect to the subject matter listed in the attached Exhibit A. The deposition shall take place on October 12, 2018 at 1:00 p.m. at the offices of K & L Gates, 210 Sixth Avenue, Pittsburg, PA 15222.

PLEASE TAKE FURTHER NOTICE that the deposition will be recorded by stenography, livenote, and videotape, and will continue from day to day until completed or may be continued for completion at a future date.

Respectfully submitted this 24 of September, 2018.



Matthew T. Richardson, Esquire

Wallace K. Lightsey, Esquire

James E. Cox, Jr., Esquire

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&

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CERTIFICATE OF SERVICE

I, the undersigned attorney of the firm Wyche, P.A., do hereby certify that on the **24** day of September, 2018, a true and complete copy of **NOTICE OF VIDEO DEPOSITION OF A REPRESENTATIVE OF WESTINGHOUSE ELECTRIC CORPORATION, PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 30(b)(6)** was served via electronic service pursuant to the Case Management Order and sending a copy electronic mail to all counsel of record.

<p>James Y. Becker , Esq. Haynsworth, Sinkler, Boyd, PA P. O. Box 11889 Columbia, SC 29211-1889 jbecker@hsblawfirm.com</p> <p>David L. Balser, Esq. Jonathan R. Chally, Esq. King & Spalding, LLP 1180 Peachtree Street, NE Atlanta, Georgia 30309-3521 DBalser@KSLAW.com JChally@KSLAW.com</p> <p>Robert D. Cook, Esq. J. Emory Smith, Jr., Esq. SC Attorney General 's Office PO Box 11549 Columbia, SC 29211 bcook@scag.gov</p> <p>Leah B. Moody Law Office of Leah B. Moody, LLC 235 East Main Street, Suite 115 Rock Hill, SC 29730 LBMatty@comporium.net</p> <p>adam@scjustice.org alex@shissiaslawfirm.com andy@austengowder.com bcook@scag.gov Belton.zeigler@wcsr.com bguild@mindspring.com bholman@selsc.org carmen.thomas@nelsonmullins.com caschurg@austinrogerspa.com</p>	<p>J. Preston Strom, Jr. Mario A. Pacella Bakari T. Sellers Jessica L. Fickling 2110 Beltline Blvd. Columbia, SC 29204 petestrom@stromlaw.com mpacella@stromlaw.com bsellers@stromlaw.com jfickling@stromlaw.com</p> <p>RICHARDSON , PATRICK , WESTBROOK & BRICKMAN, LLC Terry E. Richardson, Jr. Daniel S. Haltiwanger P.O. Box 1368 Barnwell, SC 29812 trichardson@rpwb.com dhaltiwanger@rpwb.com</p> <p>LEWIS BABCOCK, LLP Keith M. Babcock Ariail E. King 1513 Hampton Street P.O. Box 11208 Columbia, SC 29211-1208 kmb@lewisbabcock.com aek@lewisbabcock.com</p> <p>SPEIGHTS AND SOLOMONS Daniel A. Speights G. Solomons, III 1100 Oak Street Hampton, SC 29924 dspeights@speightsandsolomons.com asolomons@speightsandsolomons.com BELL LEGAL GROUP, LLC</p>
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Tracey.a.huang@dominionenergy.com TRRogers@AustinRogersPA.com Wcleveland@selcva.org Weston.adams@nelsonmullins.com William.hubbard@nelsonmullins.com wtdowdey@gmail.com	
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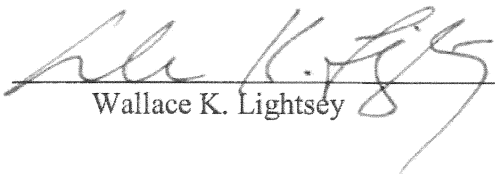
By: 
Wallace K. Lightsey

EXHIBIT A

1. The AP1000 reactor concept, design, regulatory approval, and design changes imposed by the Nuclear Regulatory Commission (“NRC”);
2. The 2008 Engineering, Procurement and Construction Agreement (“EPC Agreement”), with a focus on its payment and information sharing provisions;
3. The October 2015 Amendment to the EPC Agreement, with a focus on changes to payment terms, liquidated damage provisions, the provision of interim payments, revised payment schedule milestones, and the fixed price option, and information shared by Westinghouse with South Carolina Electric & Gas (“SCE&G”) concerning Westinghouse’s financial condition at that time and at the time of the 2016 Fixed Price Agreement;
4. A description of the periodic and occasional reports and meetings through which Westinghouse shared information with SCE&G and Santee Cooper, with a focus on those reports and meetings that discussed cost increases, schedule delays, performance factor metrics, and mitigation plans;
5. Information shared with SCE&G through such reports and meetings concerning the construction schedule and estimated completion dates (a) before the filing of Westinghouse’s petition for bankruptcy, and (b) after the filing of Westinghouse’s petition for bankruptcy, including but not limited to any such information of which Westinghouse is aware was used in SCE&G’s internal analysis of extended completion dates performed after Westinghouse’s petition for bankruptcy.
6. Westinghouse’s knowledge of the Bechtel Report, including its understanding of the purpose and scope of the assessment, and its efforts to supply information to Bechtel;

7. Westinghouse's receipt of directives, suggestions, or requests from SCE&G or Santee Cooper, if any, not to provide them with information on cost overruns or schedule delays that would need to be shared with the Office of Regulatory Staff ("ORS") or the South Carolina Public Service Commission ("PSC"), not to disclose any such information to ORS representatives, or to delete emails or other documents or information;

8. Westinghouse's estimates to complete, how escalating costs contributed to its decision to file for bankruptcy, and when and how such information was shared with SCE&G; and

9. Any information provided to Westinghouse by SCE&G and Santee Cooper regarding their decision to abandon the V.C. Summer project.

STATE OF SOUTH CAROLINA

ISSUED BY THE CIVIL COURT IN THE COUNTY OF HAMPTON

Richard Lightsey, LeBrian Cleckley, Phillip Cooper, et al., on
behalf of themselves and all others similarly situated, Plaintiffs,

v.

SUBPOENA IN A CIVIL CASE

South Carolina Electric & Gas Company, a Wholly Owned
Subsidiary of SCANA, SCANA Corporation, and the State of South
Carolina, Defendants

Case Number: 2017-CP-25-00335

South Carolina Office of Regulatory Staff, Intervenor.

Pending in Hampton County

TO: **Westinghouse Electric Company, LLC****c/o Thomas C. Ryan, Esquire, K & L Gates 210 Sixth Avenue, Pittsburg, PA 15222**

☐ YOU ARE COMMANDED to appear in the above named court at the place, and time specified below to testify in the
above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME , AM

☒ YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a
deposition in the above case.

PLACE OF DEPOSITION K & L Gates, 210 Sixth Avenue Pittsburg, PA 15222	DATE AND TIME October 12, 1:00 PM
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☒ YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects in
your possession, custody or control at the place, date and time specified below (list documents of objects:

SEE ATTACHED EXHIBIT A

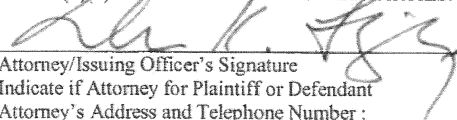
PLACE: K & L Gates, 210 Sixth Avenue Pittsburg, PA 15222	DATE AND TIME October 12, 1:00 PM
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☐ YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME , AM
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ANY SUBPOENAED ORGANIZATION NOT A PARTY TO THIS IS HEREBY DIRECTED TO RULE 30(b)(6), SOUTH CAROLINA RULES OF
CIVIL PROCEDURE, TO FILE A DESIGNATION WITH THE COURT SPECIFYING ONE OR MORE OFFICERS, DIRECTORS, OR MANAGING
AGENTS, OR OTHER PERSONS WHO CONSENT TO TESTIFY ON ITS BEHALF, SHALL SET FORTH, FOR EACH PERSON DESIGNATED, THE
MATTERS ON WHICH HE WILL TESTIFY OR PRODUCE DOCUMENTS OR THINGS. THE PERSON SO DESIGNATED TESTIFY AS TO
MATTERS KNOWN OR REASONABLY AVAILABLE TO THE ORGANIZATION

I CERTIFY THAT THE SUBPOENA IS ISSUED IN COMPLIANCE WITH RULE 45(c)(1), AND THAT NOTICE AS REQUIRED BY
RULE 45(b)(1) HAS BEEN GIVEN TO ALL PARTIES.

	9/24/18	Wallace K. Lightsey
Attorney/Issuing Officer's Signature	Date	Print Name
Indicate if Attorney for Plaintiff or Defendant		
Attorney's Address and Telephone Number :		
Wyche, PA, 44 E. Camperdown Way Greenville, SC 29601		
(864) 242-8263 Attorney for Intervenor		

Clerk of Court/Issuing Officer's Signature	Date	Print Name
Pro Se Litigant's Name, Address and Telephone Number:		
Clerk of Court, Richland County, Judicial Center, 1701 Main Street,		
Suite 205, Columbia, SC29201 803-576-1999		

PROOF OF SERVICE

SERVED	DATE	FEES AND MILEAGE TO BE TENDERED TO WITNESS UPON DAILY ARRIVAL <input type="checkbox"/> YES <input type="checkbox"/> NO AMOUNT \$
	PLACE	
SERVED ON		MANNER OF SERVICE
SERVED BY		TITLE

DECLARATION OF SERVER

I certify that the foregoing information contained in the Proof of Service is true and correct.

Executed on _____

SIGNATURE OF SERVER

ADDRESS OF SERVER

Rule 45, South Carolina Rules of Civil Procedures, Parts (c) and (d):

(c) Protection of Persons Subject to Subpoenas.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction, which may include, but is not limited to, lost earnings and a reasonable attorney's fee.

(2)(A) A person commanded to produce and permit inspection and copying of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial. A party or an attorney responsible for the issuance and service of a subpoena for production of books, papers and documents without a deposition shall provide to another party copies of documents so produced upon written request. The party requesting copies shall pay the reasonable costs of reproduction.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of the subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises—or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time in the court that issued the subpoena for an order to compel the production. Such an order to compel production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3)(A) On timely motion, the court by which a subpoena was issued, or regarding a subpoena commanding appearance at a deposition, or production or inspection directed to a non-party, the court in the county where the non-party resides, is employed or regularly transacts business in person, shall quash or modify the subpoena if it:

(i) fails to allow reasonable time for compliance; or

(ii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to travel more than 50 miles from the county where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the state in which the trial is held; or

(iii) requires disclosure of privileged or otherwise protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoena:

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party nor an officer, director or managing agent of a party, nor a general partner of a partnership that is a party, to incur substantial expense to travel from the county where that person resides, is employed or regularly transacts business in person, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena or, If the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

(d) Duties in Responding to Subpoena.

(1)(A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) A person responding to a subpoena need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(6)(B). The court may specify conditions for the discovery.

(2)(A) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim. If the receiving party disclosed the information before being notified, the receiving party must take reasonable steps to retrieve the information. The person who produced the information must preserve the information until the claim is resolved.

EXHIBIT A

All documents that evidence any requests made by SCANA or SCE&G prior to January 1, 2017 for you to provide SCANA or SCE&G with (1) the data you used to support your estimates of cost and schedule to complete construction of V.C. Summer Nuclear Station Units 2 and 3 (the "Project"), or (2) information or analysis regarding the effect of your involvement in the Project, including but not limited to the effect of the 2015 Fixed Price Option, on your financial condition.

In the above request, "you" and "your" refer to Westinghouse Electric Corporation, LLC.